

HOUSE BILL 584

By DuBois

AN ACT to amend Tennessee Code Annotated, Title 1;
Title 6; Title 7; Title 11; Title 12; Title 13; Title 29;
Title 43; Title 49; Title 54; Title 64; Title 65; Title 68
and Title 69, relative to the power and use of
eminent domain and property acquired by eminent
domain.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, is amended by adding
the following as a new, appropriately designated part:

Section 29-17-____.

(a) If property condemned or taken by eminent domain is not used for the
purpose or purposes for which it was condemned, or if the condemning entity
subsequently decides to sell it within ten (10) years of being condemned or
taken, the property shall be first offered for sale to the person or persons from
whom the property was condemned or taken. The person from whom the
property was condemned or taken shall have sixty (60) days in which to sign an
agreement to purchase the property. If such person is no longer living, the
property next shall be offered for sale to the person's ascertainable heirs or
assigns who were living at the time the property was taken. If the property is not
purchased by the heirs and assigns within sixty (60) days the property shall be
offered for sale to any adjoining landowner. If such property is not purchased by
adjoining landowners within one hundred twenty days (120) days the
condemning entity shall have the right to dispose of the property as surplus
property. The property shall be sold for an amount not less than the fair market
value, together with costs.

(b) The provisions of this section shall apply to all surplus property disposed of by the condemning entity, except as provided in § 12-2-112(a)(8) for department of transportation right-of-ways.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.